

pointment of the referees, shews that they are to superintend the execution of the Act, "and also to determine sundry matters in question incident thereto;" and the 81st section, enacts, that they are "to perform the several matters to them respectively assigned by the provisions of this Act, and to determine all questions referred to them, whether expressly by this Act or at the instance of any one or more of the parties concerned."—Ed.]

#### METROPOLITAN BUILDINGS ACT—DEFINITION OF TERMS.

SIR,—Parties concerned in the operation of the Metropolitan Buildings Act having applied to me for my opinion of the construction of the words "commenced before" and "commenced after" in the sense applied to them by the said Act, I beg to hand, through your medium, my consideration of the words in the sense they are evidently intended to bear in reference to this question.

It is necessary to keep in mind that the general tenor and spirit of the Act is, amongst other objects, "to prevent the great diversity of practice exercised by the various officers appointed under the 14th Geo. 3, c. 78, whereby the operations of persons engaged in building is retarded, and expenses are increased" (*Vide Preamble*); and "that the following terms and expressions are intended to have the meanings assigned to them respectively." (*Vide Construction of Terms*.)

Now the terms of the Act are "already built," and "hereafter to be built," and the words "commenced before," or "commenced after," are merely constructive words to shew the intended force of the terms used.

The term "already built" being in the past tense, would, in its ordinary signification, imply a building completed and finished; but the term "already built," in the sense applied to it by this Act, is evidently intended to include all buildings or demonstrations of buildings which are "commenced" by any operative building demonstration being performed prior to the 1st January, 1845; and vice versa "hereafter to be built," is intended to apply to such as have no operative demonstration whatever prior to that date; and such as having an operative demonstration of a building being about to be raised prior to the 1st of January, 1845, is omitted or neglected to be "covered in and rendered fit for use within twelve months thereafter."

Had the Act intended to renounce some commencements, and to have acknowledged certain other commencements, it would have been reasonable that in "the construction of terms used," such distinction of commencements would have been expressed; instead of which, the most open and unequivocal term is adopted, thereby acknowledging every demonstration of what kind soever, whereby a building is in visible progress of erection, shall be deemed to be "already built" within the meaning of this Act, provided it is "covered in and rendered fit for use within twelve months thereafter."

Had we heretofore been without any Act to regulate our metropolitan buildings, probably the limits and operations of the 7th & 8th Vict. now under consideration, might have been of a more stringent and arbitrary nature; but having been regulated chiefly by the 14th Geo. 3, c. 78, ever since the year 1774, which has been considered efficient hitherto, it is evidently the object of the legislature, in producing the present Act, to do so with as little inconvenience to building operations as consists with the nature of the subject-matter itself.

Trusting to your devoting space for these remarks in your next publication, with the hope they may be useful to parties concerned, —I am, Sir, your obedient servant,

CONSILIARIUS.

London, 22nd January, 1845.

#### RAISING OLD BUILDINGS.

SIR,—I have a five roomed house and shop, occupied (the walls of which are less than 18 in. thick), which I wish to raise another story, as also a kitchen adjoining at the back. Will any of your building friends inform me whether such can be done irrespective of the new Buildings Act? But should the new Act prohibit such addition being made, permit me to inquire further, whether I can raise the front

by a parapet, without the interference of any surveyor appointed under the said Act.

I am, &c.

[The new Act provides that buildings already built may be raised to an additional height, not exceeding 10 feet, although the walls of such buildings be not of the thicknesses prescribed by the Act, if, in the opinion of the district surveyor, such walls be sufficiently secure to allow of the raising thereof.—Ed.]

#### WHAT CONSTITUTES A SHOP-FRONT?

SIR,—Can you define the difference between a window in the front wall of a shop and a shop-front? as the frame of doors and windows must be fixed at a distance of 4 inches at least from the face of the external wall, and shop-fronts come under a special clause of the New Buildings Act. By giving the definition, you will oblige

ONE OF YOUR READERS.

January 21st, 1845.  
[Such a definition in general terms cannot safely be given. Each case must be judged by itself.—Ed.]

#### Correspondence.

##### ARCHITECTURAL COMPETITION.

"My ears will not be charmed with sounding words, Or pompous phrase, the pagantry of sounds."

SIR,—It may be necessary to inform your correspondent "T" that the length of time which has elapsed since the date of his letter to that of the present reply, is owing to a circumstance over which I had no control, and which is not yet satisfactorily accounted for; I shall, however, make no further apology for again alluding to the subject of competition, considering its paramount importance will prove a sufficiently ample one for making a few remarks on the letter of "T," at p. 622, vol. ii. of THE BUILDER.

I certainly think it savours of partiality in him to misrepresent that part of my former letter relating to Sir R. Smirke. If he possesses much candour, he must allow it to be extremely unfair of him to bring forward that gentleman as an individual illustration, when I distinctly mention him as a general one only; that is, that the same argument will hold good in the case of any other architect in a similar position. Nor has he by this quibble—for so I must consider it—answered any of my objections, but has, on the contrary, evaded a direct reply to them. The enigma he should have solved is, how in all cases an impartial architect can be procured, one whose unbiased opinion will alike be satisfactory and just, whether the competition be for a poor house or a palace? Does it not seem very absurd for a writer to bring forward as an argument for the superiority of a certain system, a competition for the chapels connected with a cemetery? Of what illusory texture must the reputation of such an architect be who would fear such insignificant buildings—even if treated with the most artistic skill—interfering with that reputation, when he has designed and raised much larger and more important edifices. Is he so inexperienced as to suppose, that if in a competition for a town-hall, a church-house, or other large building, in which that architect was appointed umpire, he was to observe the name of a talented rival on a design the merit of which might seem calculated to dim the lustre of his own reputation elsewhere, that envy would not suggest a certain line of conduct? which I consider the principal objection to this system: or does "T" really suppose that a paltry fee would reconcile him to its loss? Common sense and past experience unfortunately prove the contrary.

We will, to prove the inferiority of "T's" system to others, notice a few of the objections to which it is liable, and then compare it with the proposed one, in which the competing architects constitute the judges, and one which, I contend, is the most fair, satisfactory, and just.

In certain designs a professional umpire is very apt to form previous ideas in his own mind as to what particular style, plan, or arrangement he would adopt; this certainly gives an unfair advantage to certain competitors. Also it is a very difficult and wearying task to inspect minutely a number of designs for a complex building; so much so, that it is very questionable whether the architect takes

that trouble, generally fixing in a very superficial manner on a few which most accord with his own ideas on the subject, and totally neglecting the others. This appears to be the practice, many architects perhaps, remember instances in which the designs were sent in on Saturday and the result known on the Tuesday following; a length of time in which the designs could not all have received minute attention. Again, it is impossible for an umpire, however experienced, fully to comprehend the peculiar difficulties the site or plan may suggest; and, lastly, the opportunity for that hydra-headed monster—jobbing—still remains.

The before-mentioned objections, it will at once be seen, would not exist under the proposed system. The competitors being of all persons most intimately acquainted with the peculiar difficulties the site or plan may suggest, would ensure a correct decision; their number would neutralize any peculiar prejudices, and would most effectually preclude any attempt at jobbing.

"T" cannot see why I can object to writing the name and address on the plans, and is further strengthened in his opinion by your own approval of the practice. Leaving the suspicion in the case I instanced, entirely out of the question, to be brief, I object to it for two reasons: the first of which is, that a person observing the name of any talented or popular architect written on a design would naturally regard those plans with more than ordinary attention, which would frequently operate fatally against the claims of one perhaps equally great, minus the reputation; and the second, that by having the names of the competitors publicly before him, an umpire could with the greatest ease satisfy his revenge on any particular one,—and thus, by a wrong use of power, more effectually suppress talent than even the often unwitting—blunders of an unprofessional committee. I admit that in many cases (where the architect is privately chosen beforehand) it is perfectly immaterial whether the names are written on the plans or not; yet at the same time it must be allowed that these objections do not exist when a private mark is used. I therefore decidedly object to the practice; in no instance will it prevent jobbing, while it frequently opens the door for the admission of evils far more flagrant and dishonest.

I have only to express a wish that architects generally will follow the example of your correspondent "R," inserted a few weeks back, and expose every competition the result of which is not perfectly just and satisfactory; and not only object by their pens to the whole system, but practically prove their appreciation of the insult offered by the paltry one premium of ten guineas!

It has been objected by some to this, that if an architect refuses to send in designs for ordinary competitions, the only means for promotion in the profession at once vanishes. To those who argue thus, I would merely hint at the inconsistency of crying down "the present system" at every opportunity that offers, at the same time they form the principal practical supporters of it, recommending them to study a treatise on "Probabilities," and carefully to note down the number of competitions they have been engaged in, as well as the necessary expenses (exclusive of their time) incurred; and if the amount of current coin of the realm paid in hard cash does not twenty-fold exceed the amount of premiums received or commission arising from that source, I shall have the only alternative of considering that architect a far greater rogue than an artist. To conclude this portion of my letter, I would mention, that the only ill-wish I wish towards "T" is, that he may never find himself at fault when he places so much reliance on the impartiality of an architect.

In your note to my last letter, you very plainly charge me with ignorance of the laws of architectural optics: now, to use a very expressive, but withal, perhaps rather vulgar proverb, "You have hold of the bull by the horns, and I by the tail." I contend only that fluted columns give them a richer and more delicate appearance than when otherwise, thus removing the bare appearance on unfluted columns in certain positions has. The question is not whether a fluted column appears thicker than when unfluted? What is heaviness and bareness, but misplaced solidity and simplicity? That I do not